

The Alexandria Gazette

ESTABLISHED 1784

Oldest Daily Newspaper in the United States and Best Advertising Medium in Northern Virginia.

For this section—Rain, with mild temperature, today; tomorrow fair and colder. High tide tomorrow; 2:42 a. m., and 3:29 p. m.

VOL. CXXXVIII—No. 56.

The Gateway to the South

ALEXANDRIA, VA., TUESDAY, MARCH 7, 1922.

The Gateway to the South

PRICE TWO CENTS

MRS. BAGGETT IS ACQUITTED OF CHARGE

Justice Duvall Holds Prosecution Totally Failed to Make Case

COURT EXPLAINS DUTY

Holds There Must be Two Witnesses to Testify or One With Strong Corroborative Circumstances

Holding that the prosecution had totally failed to establish a prima facie case, Civil and Police Judge Frederick G. Duvall shortly before 4 o'clock yesterday afternoon, acquitted Mrs. Mary L. Baggett of the charge of making an alleged false affidavit in a divorce case. The case in question was that of Mrs. Isabel Wright of Riverdale, Md., and the complaint against Mrs. Baggett was made in a warrant sworn out at the instance of Mrs. Wright of Washington, former husband of Mrs. Wright. The decision of the court was given immediately after arguments had been completed at the afternoon session. Attorney Edmund Burke moved to dismiss the warrant and it was opposed by Attorney Frank Stuart, the latter representing Wright in the prosecution of the case.

The decision of Justice Duvall follows:

"The matter before this court, as I see it, is not the question of Mrs. Baggett's alleged activities in divorce matters in the city of Alexandria, as has been shown by the investigating committee or by the public press. The question before this court is the question of the Commonwealth against Mrs. Mary L. Baggett, Thomas J. Wright, prosecuting witness, and it is my purpose to consider nothing but the case which is before me, and I believe that in this case, has totally failed to make out even a prima facie, or reasonable case, against Mrs. Baggett. I take it that my duty, in the event that a prima facie or reasonable case is made out, is to send it on to the Grand Jury in felony matters of this kind. Mr. Wright's statement today, before me, is different from the statement which he made to me at the day that I issued the warrant against Mrs. Baggett, in this particular, that I did not know that at the time Mrs. Wright was supposed to have acquired her residence in the city of Alexandria, or was acquiring the same, Mr. Wright was in jail and not in a position where he could know the facts which he stated to me. His statement here today shows that he could not have actually known where Mrs. Wright was living and could not have known that she did not, during those five months, acquire a residence and domicile in the State of Virginia and the city of Alexandria, at Mrs. Baggett's house. His statement is that after the time when he was released from jail, he occasionally saw Mrs. Wright at 329 C street, N. W., and that he usually saw the child there. That might mean that she was a resident and was domiciled or living at 329 C St., or it might mean that the child may have been left there by her. I understand that this place was a children's aid society, and the child may have been there while her mother was elsewhere, acquiring this residence, and the mother may have been there to see her child. I can not be asked in this case, by the Commonwealth, to take everything for granted, and I don't intend to do so. either. I want to do what is right in this matter; I want to do what is honest; I want to do what is fair, but I don't believe that even a prima facie case has been made out.

"This statement refers back to two opposing statements which have been made, and nothing more. It is oath against oath. There must be two witnesses to testify to the falsity of a statement, or one witness with strong corroborative circumstances. I conclude that it is not my province to pass upon the guilt or innocence of the accused in this case, but it is within my province and power to seriously inconvenience, and subject to disgrace in the community, as well as to put to great expense, persons appearing in my court by sending them on to the Grand Jury. I don't think that there has been a prima facie case made out in this case, and therefore I dismiss it."

When the court reconvened shortly after 2 o'clock yesterday afternoon Attorney Edmund Burke moved to dismiss the case on the ground that the testimony, by express purpose of law, was insufficient to hold the accused on the charge preferred. He declared there was nothing in the deposition of Mrs. Baggett to show that she swore that Mrs. Wright was domiciled in Alexandria. On the contrary, he cited to the court, there was evidence to show that Mrs. Wright did not live in Alexandria. Domicile, he asserted, is acquired by declaration of intention to live here, and he added that it does not specify a definite time. Where you select is your domicile, he argued. Another point made by Mr.

WASHINGTON DAY BY DAY

(For The Gazette)

Washington, March 7.—The scheme to issue insurance service certificates with a borrowing value of 85 per cent in three years and at a cost of \$5,000,000,000 to the people of the country connected by the Republican members of the Ways and Means Committee in an effort to pull wool over the eyes of the ex-service men, has met with a prompt rebuff on the part of Senator Carter Glass, of Virginia, author of the Federal Reserve system.

"In self defense," said Senator Glass today, "the banks of the country will have to refuse to make the loans and Congress cannot force them to make them—or else they can make the loans and become so choked up frozen assets that an impossible business condition will be created. As it seems to me, the latest scheme proposed for paying bonus to ex-service men is by far the most vicious and menacing to the country of any that have been suggested. The script scheme, if it should actually be put into effect, would choke up the avenues of industrial and commercial credits and strangle legitimate business from one end of the nation to the other."

Prohibition authorities are ready for a clean-up campaign against liquor smugglers in Florida. With their campaign plans approved by Secretary of the Treasury Mellon, dry law forces are moving toward Florida to take up strategic locations prepared to execute orders drafted by officials here after several weeks' review of the Florida situation.

Officials are guarding their plans carefully. It is not known how many will be concentrated along the Florida coastline. It is said, however, that some of the best trained dry agents in a number of states have been with drawn temporarily from their regular post for duty indefinitely in Florida.

Officials would not say whether or not the coast guard patrol in Florida waters will be increased at this time, but this is said to be probable. Prohibition officials have had under consideration the renting of a large number of small boats to supplement the work of other agencies. Quiet investigation has been proceeding to fix the identity of individuals who are suspected of giving financial backing and other assistance to the smugglers in their game.

Children of so-called political prisoners are to be sent to Washington to make an appeal to President Harding to release their parents from government penitentiaries. A committee of individuals formed to urge amnesty for the 113 prisoners in whose cases the President has thus far refused clemency, has arranged to finance the journey of at least 20 children with their parents from their homes in the West to the National Capital. One of those selected to voice the children's plea is Elbertine Reeder, daughter of Walter Reeder, an Oklahoma man, now imprisoned for obstructing the draft. Reeder has been in prison for more than 4 years.

Opposition of Senator Brandegee, Republican, of Connecticut to the appointment of members of Congress to membership on a commission created by Congress has resulted in an unfavorable report by a subcommittee of the Senate Judiciary Committee on the eligibility of Senator Smoot, Republican, of Utah, and Representative Burton, Republican, of Ohio, to serve on the allied debt funding commission to which they were appointed by President Harding more than a week ago. The opposition to confirming the Smoot and Burton nominations arises from the fact that some members believe the constitutional inhibition against members of the Senate and House holding offices of trust or profit under the government during the terms for which they were elected is responsible for the fight on Smoot and Burton. The President holds membership on the debt funding commission does not come within the provisions of the Constitutional inhibition and he is superior in this view by Attorney General Daugherty. However, the President admitted that the naming of the two Republicans was without precedent.

Isaac Gregg.

Richmond—School children of Richmond have contributed \$1,500 to the Woodrow Wilson Foundation, according to announcement made last night by H. M. Smith, Jr., chairman of the local Woodrow Wilson Foundation committee.

Burke was in no case can a conviction be obtained on the uncorroborated testimony of one person. He argued there was a corroborating circumstance to bolster up the testimony of Wright. Mr. Burke also quoted many decisions on the difference between domicile and residence.

Attorney Stuart held that the civil and police justice had no authority to try the case, the only alternative being to either dismiss it or refer it to the Grand Jury, and he asked it be referred to the Grand Jury for investigation, and said other evidence would be produced at that time to corroborate Wright's testimony.

Among those present at the hearing were Wright's former wife. Throughout the trial the courtroom was crowded with spectators, most of whom remained till the court announced its decision.

WORK ON SCHOOL SOON TO BEGIN

Contractor Expects to Start Foundation This Week

King Lumber Company of Charlottesville Signs Contract and Gives Bond

The King Lumber Company of Charlottesville, Va., this week will start the foundation of the new public school to be erected on the lot of the Alexandria High School.

W. W. King, president of the company, was in Alexandria yesterday and furnished the required bond of \$31,683.50 and signed the contract.

Mr. King stated that material and equipment will be shipped at once and probably will arrive here the latter part of the week. The work of digging the foundation for the structure will be started this week. The contract provides that the building be completed by September 10. This firm it is expected will have the building completed and ready for occupancy long before that time.

The revised figures as announced through E. F. Ticer, chairman of the finance committee of the city council show that the contract price is exactly \$63,367. This does not include heat, electricity or ventilation. The building will be 250 feet north-east of the present high school building and its front will face West street. It will contain seventeen rooms and be modern throughout and will be two stories high.

Heathsville—On the first night of the recent deep snow, S. Tompkins, a native of Denmark, who lives on this island in Little Wicomico River, attempted to reach Kyan, on the river a little, in a small boat for a supply of groceries. He soon found that he could not make the Kyan landing on account of the storm, so he docked at the landing of Captain Hall, near here, and walked around the shore to Kyan.

SOLDIER BONUS RUNS AGAINST NEW OBSTACLES

Formal Presentation to House to be Delayed Several Days

SEES THE PRESIDENT

Chairman Fordney Declines to Discuss Visit Beyond Saying It Was Unofficial

Washington, March 7.—House Ways and Means Committee Republicans encountered some apparently unlooked for snags late yesterday in their further consideration of the compromise soldiers' bonus bill, with a result that the formal presentation of the measure to the House will be delayed for several days.

It was understood that an unsuccessful effort was made to confine the bonus largely to the adjusted service certificate option. The other differences were said to have been unimportant.

After a forenoon session of the majority committee, Chairman Fordney announced that it was the plan to complete the bill in the afternoon, introduce it in the House immediately and formally present it today after a session of the entire committee.

He added that meantime he might discuss the measure with President Harding. He went to the White House in the afternoon, but declined to discuss the visit further than to say he had gone to present a friend.

It seems that the proposition to require the Democrats on the committee to cast their votes on the bill without having full opportunity to consider it met with some opposition from the majority side, and it was indicated that when the measure was put in final form by the Republicans the minority members would be given time to study its provisions before final committee action. The bill will be taken up again tomorrow by the Republicans, it was said, with the hope that it would be completed before night.

Changes made in the bill at the two sessions of the majority members today were said to have been largely of a technical character. Committee men declared that no important alterations had been made in the compromise plan eliminating the cash bonus except where the men were entitled to \$50 or less and substituting a bank loan section to the adjusted service certificate title authorizing national and State banks and trust companies organized under State laws to loan certificate holders up to 50 per cent of the adjusted service credit. (Continued on page two)

DIVORCE PROBE IS RESUMED IN THE COURTROOM

Judge Moncure Expected to Make Statement This Afternoon

MANY WITNESSES

Morning Session Taken up Principally With Political Activities of Judge Moncure.

The morning session of the Bar Association committee which is investigating the divorce conditions was taken up mainly with the examination of witnesses introduced by Attorney Frank Stuart in regard to the alleged political activities of Judge Robinson Moncure during the election of last summer. Judge Moncure's counsel, John S. Barbour, also introduced Justice Troth, a justice of the peace in Fairfax County, to relate the circumstances of a difficulty he had with Attorney Frank Stuart.

The session took a recess at 12:15 p. m., and it is expected that Judge Moncure will begin his statement to the committee immediately after the afternoon session convenes, at 2 o'clock.

Rev. Dr. E. V. Register was called and made a statement as to his connection with the case of Smith vs. Smith, in which it was alleged by Mr. Stuart that Judge Moncure promised the parties that if they would have the marriage ceremony performed, a divorce would be granted directly afterward. Dr. Register stated that he had been called on the telephone by Courtland H. Davis, and asked to come to Judge Moncure's office and perform a marriage ceremony; that he went to the office, the circumstances of the case were related to him, and that in order to assist in remedying a delicate situation he performed the ceremony of marriage. Dr. Register stated that he recalled some statement being made as to the probability of the parties applying for a divorce at some time in the future, if circumstances warranted it, but that no promise of such a promise being made, either at the time of the marriage or at any other time. The impression given me," said Dr. Register, "was that the judge was doing his best to help two young people out of an embarrassing situation, and I performed the ceremony in that same spirit."

The first witness who testified as to Judge Moncure's alleged political activities was Clyde B. Lanham, real estate dealer, who stated that Judge Moncure asked him to vote for Howard W. Smith for Commonwealth's Attorney in the last election; that Mr. Smith was a friend of his, and possibly would do more for him than would Mr. Snow, Mr. Smith's opponent. Mayor J. M. Duncan was called and asked whether he, as mayor had advised, or directed policemen Durrer and Magner not to make any statements before the committee. The mayor stated he had not, but on the contrary had advised them to make any statements to the committee that might be of value, but not to talk about the matter on the streets.

Policeman Patrick Magner was then called, and said that a woman living in Rosemont, whose husband had been arrested for violation of the prohibition law, had gone to the police court and stated that she had lost \$500, the inference being that the money had been taken by Magner and Policeman Durrer. He said he and Durrer were called to the office, at which time Chief Goods, Mayor Duncan, Judge Moncure, Justice Smoot and Policeman Durrer were present. The judge, he said, told the woman she would have to make out a statement in writing to the effect that she had lost her money, which she failed to do. He said that after he left the office he met Judge Moncure on the outside, and the judge said to him and Durrer, "Boys, if it had not been for me you would have been sent on to the grand jury." I told him I wished we had been, then we would have seen what would have happened. "He then told us that if he had listened to Mr. Snow we would have been sent to the grand jury. He said that when Mr. Snow came here he had nothing—that he no pants on; that he was not qualified for the position he had given him as police justice, but that he gave it to him so he could live." Magner said that just before election he and Durrer were getting into their motorcycle to leave the station house when Judge Moncure stopped them and said, "Boys, I have done you a favor and I want you to do me one. I want you to vote for Howard Smith." Magner said he did not tell the judge whether he would or would not vote for Mr. Smith, but that he voted for Mr. Snow.

Other witnesses who testified that Judge Moncure had asked them to vote for Mr. Smith for Commonwealth's Attorney were Robert F. Downham, Mr. Shuman and S. M. Pullman. Mr. Downham stated that he went to Judge Moncure's courtroom to argue.

(Continued on Page Three)

IN CONGRESS YESTERDAY

SENATE

Met at 11 a. m. and adjourned at 5:45 p. m. until noon today. Began debate on ratification of the treaties negotiated at the Washington conference.

Passed and sent to the House a bill authorizing the use of special postage stamps advertising local celebrations in Richmond, Va.; Phoenix, Ariz.; Fayetteville, Ark.; Hutchinson, Kans., and Pasadena, Calif.

A majority of the judiciary subcommittee which has been studying the question of the eligibility of Senator Smoot, of Utah, and Representative Burton, of Ohio, to serve on the allied debt commission reported that the members in question were not eligible.

This report, submitted to the full judiciary committee, was signed by Senator Brandegee (Republican), Connecticut, and Overman, of North Carolina, and Walsh of Montana (Democrats), and sustained the contentions raised in a resolution offered by Mr. Walsh.

By a vote of 37 to 22, with all Democrats and half a dozen Republicans voting in the negative, the Senate referred to its banking and currency committee the resolution introduced by Senator Heflin (Democrat), Alabama, providing for an investigation into the alleged political activities of officials of the Atlanta Federal reserve bank.

President Harding nominated John H. Bartlett, of New Hampshire, at present chairman of the civil service commission, to be First Assistant Postmaster-General, succeeding Dr. Hubert Work, promoted to be Postmaster General in place of Will H. Hays.

Senators McCormick and McKinley, of Illinois, called at the White House and urged President Harding to appoint A. E. Germer, chief postal inspector of Chicago, as Second Assistant Postmaster General.

The President sent to the Senate the nomination of Thurston R. Porter, of New York, to be marshal of the United States court for China.

The foreign relations committee reported favorably a resolution giving effect to commercial traveler treaties between the United States and Uruguay. (Continued on Page 5)

HARDING HALTS WAR SHIPMENTS TO THE CHINESE

Presidential Proclamation Forbids Further Exports To Troubled Republic

CIVIL WAR WARRANTS

Vigorous Prosecution of Any Offenders is Promised in Executive Order Just Issued

Washington, March 7.—Shipments from the United States of arms or munitions of war to China was prohibited by President Harding yesterday in an official proclamation.

The proclamation was issued in accordance with a joint resolution approved January 31, 1922, by Congress authorizing the President to declare an embargo on such shipments to foreign countries when they promote conditions of violence. The President declares that all violations of the order will be vigorously prosecuted.

Power of prescribing exceptions and limitations to the application of the resolution by Congress were delegated by the President to the Secretary of State.

The text of the proclamation follows: "Whereas, Section 1 of a joint resolution of Congress, entitled a 'joint resolution to prohibit the exportation of arms or munitions of war from the United States to certain countries, and for other purposes,' approved January 31, 1922, provides as follows: 'That whenever the President finds that in any American country or in any country in which the United States exercises extra territorial jurisdiction, conditions of domestic violence exist which are or may be promoted by the use of arms or munitions of war procured from the United States and makes proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President prescribes, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress.' And whereas, it is provided by Section 2 of the said joint resolution that 'whoever exports any arms or munitions of war in violation of Section 1 shall on conviction be punished by fine not exceeding \$10,000, or by imprisonment not exceeding two years, or both;'

"Now, therefore, I, Warren G. Harding, President of the United States of America, acting under and by virtue of the authority conferred in me by the said joint resolution of Congress, do hereby declare and proclaim:

(Continued on page four)

SEMI FINALS TO BE STAGED HERE

A. H. S. to Play Charlottesville For Honors of N. W. Half of State

Both Teams Have Excellent Records—Exciting Game Expected—Last Game Here

"We will play Charlottesville for the northern and western championship of the State—and that ain't all."

That's what members of the Alexandria High School basketball team said this morning.

The A. H. S. boys, after having won from every team in the second athletic district, will meet the fast going team of Charlottesville High School, which is the champion in the first district, tomorrow night in the Armory Hall to settle who is to be the champion of the northwestern half of the State and who shall have the honor of entering the finals for the State championship.

Alexandria has gone through a grilling schedule of 19 hard games and has come out victor in all but 3. Two of these defeats were to Easton and Tech High schools of Washington by a close score. The other defeat was at the hands of the Warrenton High School, and was the result of playing on an exceedingly small floor.

Charlottesville has been reported as having gone through with an absolutely clean slate.

Charlottesville, it will be remembered, is the school whose team stood firmly between the local High School and the football honors last fall. The Alexandria boys stoutly contend that after tomorrow night Charlottesville may say the same thing in regard to basketball.

"We've heard a lot of this talk about a greater Alexandria, and we have taken it seriously—and I think that we have done something toward helping it along," said Fred Pettit, the center. "Now all I want the people to do is to come to the Armory tomorrow night and watch us put the skids under Charlottesville."

Last year the High School played in the semi-finals against the Norfolk team in Norfolk and lost. Three of the same players who were in the Norfolk game last year are lined up for tomorrow's game. Pettit, Midkiff and Captain Dreifus have seen three years of High School basketball side by side and have gone through the season, just closing, in fine style. Dyson and Ramage, although comparatively new in the game, have made fine records for themselves during the past season with the first team. Wade and Jack Pohl are foremost among the long list of "subs."

A large crowd is expected to attend the game, and with this in view the seating arrangements are being extended. The student body of the High School will attend en masse and they are well equipped with cheers and cheer leaders. The High School Orchestra will be on hand and will furnish music between the periods. The management of the local team asks that all the sport lovers of the city be on hand. Every public spirited citizen is urged to attend, to see and to support the five boys that are doing their part, and perhaps more than their part, in the extension of the name of Greater Alexandria. Give the team that bears the name of our city your support.

Playgrounds Not Open

Arrival of Permanent Warm Weather is being Waited upon

Owing to the bad weather, the Play Ground Committee has decided not to re-open the Friends' Play Ground as yet. The exact date for the permanent opening has not been decided upon, the coming of spring to stay, being the determining factor. It was opened the first part of last week but, owing to the snow, it was closed again. The children of the city are anxiously awaiting the warm weather so that they may again be admitted to the municipal playgrounds.

Mrs. Ann E. Service Dead

Mrs. Ann E. Service, an old and well known resident, died suddenly at 7:30 o'clock this morning at her residence at 517 Cameron street. The deceased was a Miss Entwistle, and her mother was a Miss Zimmerman. Mrs. Service was a consistent member of St. Paul's Episcopal Church and was actively identified with the various organizations of that church. The announcement of her sudden death was received with sincere regret by her many friends here. The funeral arrangements have not been completed.

Birthday Celebration

Potomac Lodge, I. O. O. F., to Observe 83rd Anniversary April 4.

The committee on "good of the order" of Potomac Lodge No. 38, Odd Fellows, at a meeting held last night, made preliminary arrangements for celebrating the eighty-third anniversary of the organization of that lodge with a celebration which will be held April 4. It is proposed to hold the event in the Ingomar Theater. For this occasion a number of prominent members of the order will be invited to make addresses.

NEW HOPE SEEN FOR TREATY IN HUGHES' RETURN

Adherents Welcome Return of Secretary—None Too Soon, They Say

DEFENSIVE DRIVE

Senators New, Wadsworth and Other Administration Supporters Advocate Ratification of Pact.

Washington, March 7.—Secretary Hughes returned to Washington last night from his vacation in Bermuda in time to step squarely into as serious a crisis in the fight for the ratification of the Four-Power pact as most of those he faced in the Disarmament Conference.

Mr. Hughes' absence had weakened the Administration in its defense of the treaty. His presence now may mark a change from the hesitant policy that has been followed in the last few weeks. He comes none too soon, in the opinion of most of those who have been watching the fight over the treaty, for it is generally agreed that opponents have been gradually and steadily forcing it nearer and nearer the danger line.

Yesterday friends of the Administration started the defensive campaign that was outlined a few days ago with a speech by Senator New, of Indiana, one of the wheel horses of the Harding forces. He is to be followed quickly by Senator Kellogg, Senator Wadsworth and others, and it is stated that very shortly Senators Lodge and Underwood, members of the American delegation to the Conference, will deliver set arguments for the treaty.

Help has come from other quarters, various influential Democratic or independent newspapers having urged ratification of the treaty and a number of prominent individuals in the Democratic party having added their voice to the pleas. Their arguments, like those of the Administration spokesmen, turn largely upon the contention that without the Four-Power pact the situation in the Pacific will be as it was before the Disarmament Conference. The Anglo-Japanese pact will be in existence and naval reductions will be hazardous.

To that they add vehement protestations that the Four-Power pact, as framed, does not by any implication commit the United States to the use of armed forces. They hold that to be demonstrated by the language of the treaty and by the expressions of President Harding and Senator Lodge as to what the treaty means—expressions, they say, that must be taken as authoritative, not only here but in the other nations concerned. They have gone further, accepting the Brandegee reservation.

But all of that has not put the treaty on safe ground. The treaty seems to have been moving steadily nearer unsafe ground even while the arguments were being made and the reservation was being accepted. What has been needed by the Administration, it is thought in some quarters, has been a different sort of generalship. Not only arguments and a willingness to listen to the views of men like Senator Brandegee, but a bold and affirmative policy that would mold the public opinion of the country is believed to be necessary.

There is little doubt that Mr. Hughes is the best bet of the Administration in this respect. Neither the President nor Senator Lodge has risen to the situation. The former is not intimately familiar with all the facts of the treaty, and, in addition, is not temperamentally fitted to deliver bold and arresting attacks. Mr. Lodge has been buffeted about fairly consistently in the treaty situation since he made the speech submitting the pact to the Conference, and talked at length about the beauty of the islands in the Pacific, but failed to state the important fact that the homeland of Japan was covered—which subsequently was changed by a supplement adopted by the Conference.

Mr. Hughes, as able a lawyer as any involved in the treaty debate and upon occasion a daring man, probably will now become the real generalissimo of the fight for the treaty, and possibly turn the tide. One of the facts in the situation with which he must deal is that arising from the Hitchcock resolution, calling for all data bearing on the process of framing the treaty. There appears to be none. The treaty was evolved, it seems, largely through conversations an d verbal exchanges of views.

Montgomery, Ala.—The Alabama convict department has just received a report by the Burns International Detective Agency announcing the capture in Washington of C. E. Leon, alias R. W. Jones, alias Bell, white man, who escaped from the State prison at Aldrich last December, it is alleged, by forging his discharge papers.